

England 147

**THE
LORDS
PROTESTS,**

February 13. 1740-I.

L O N D O N:

Printed in the Year MDCCXLI

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T H E

L O R D S P R O T E S T S .

Die Veneris, 13. Februarii, 1740.

THE House being moved, That an humble Address be presented to his Majesty, most humbly to advise and beseech his Majesty, that he will be most graciously pleased, to remove the Right Honourable Sir *Robert Walpole*, Knight of the Most Noble Order of the Garter, First Commissioner of his Majesty's Treasury, and Chancellor of the Exchequer, and one of his Majesty's Most Honourable Privy Council, from his Majesty's Presence and Councils for ever,

After long Debate in relation thereunto,

The Question was put upon the said Motion;

And it was resolved in the Negative:

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Dissentient

1. Because we are persuaded, that a sole, or even a First Minister, is an Officer unknown to the Law of *Britain*, inconsistent with the Constitution of this Country, and destructive of Liberty in any Government whatsoever; and it plainly appearing to us, that Sir *Robert Walpole* has for many Years acted as such, by taking upon himself the chief, if not the sole Direction of Affairs, in the different Branches of the Administration, we could not but esteem it to be our indispensable Duty, to offer our most humble Advice to his Majesty for the Removal of a Minister so dangerous to the King and to the Kingdom.

2. Because we think it appeared in the Debate, that, in many Instances of infinite Consequence to the Interest of the Publick, he grossly abused the exorbitant Power, which he illegally possessed himself of; particularly in the Management of the publick Treasure. And this we conceive must plainly appear to every impartial Person, who recollects, that, for these twenty Years past, this Kingdom has paid the largest Taxes that ever were imposed upon it in time of Peace, and yet that the publick Debts remain much as they stood at the Time when this Gentleman first entered upon

upon the Management of the Treasury; and that the Civil List also, the largest that ever was granted to the Crown, is (as we have the strongest Reason to believe) considerably in Debt at this Time.

3. Because we conceive it was plainly proved in former Debates, that the Army, so greatly expensive to this Kingdom, and which also was granted by Parliament for the Defence of it, had been managed, both as to Rewards and Punishments, in such Manner as to make it of no Military Use; but, on the contrary, to render it subservient, as we apprehend, to the very worst of Purposes, the influencing of Elections without Doors, and Votes within.

4. Because we are persuaded, that the vast Sums of Money granted on different Heads, for Sea-service, cannot possibly have been faithfully applied; there having been as much Money granted by Parliament in the last six or seven Years, upon the several Heads applicable to the repairing and rebuilding our Ships, as would have been sufficient to build the whole Fleet of *Britain* from the Keels of the Ships, and have put them thoroughly equipt to Sea; and yet it is most notoriously true, that, since this War began, a very great Number of the
Ships

Ships have appeared to be in the worst Condition for Sea-service that ever they were known to be, in the Memory of Man, and many of them scarcely fit for *Spithead* Expeditions; Ships having failed out of the River, destined, as was pretended, for foreign Service, that have with Difficulty been able to swim into the Docks of *Portsmouth* or *Plymouth* for further Repairs.

5. Because we apprehend, that, by the Conduct of Sir *Robert Walpole*, in relation to foreign Affairs, during the Course of his Administration, the Balance of Power in *Europe* has been destroyed; the House of *Bourbon* has been aggrandized in many Instances, particularly by the Addition of *Lorrain*; the House of *Austria* has been depressed, by the Loss of part of the Dutchy of *Milan*, and the whole Kingdoms of *Naples* and *Sicily*. And if such a Change of the System of *Europe*, occasioned by the Misconduct of any Minister whatsoever, would be criminal, we cannot think it less so, in one who joined in the Prosecution of the Authors of the Treaty of *Utrecht*, upon the particular Charge of having reduced the House of *Austria* too low, and left the House of *Bourbon* too powerful,

6. Be

ninth Article of the Treaty of Utrecht

6. Because it is a Fact not to be contradicted; That the *Spaniards* were permitted quietly to possess themselves of the Land belonging to our important Fortress of *Gibraltar*, which this Kingdom was in possession of, by virtue of the Treaty of *Utrecht*, till the last Siege of that Place: By which Permission, Fortifications were erected and Batteries raised upon the said Ground by the *Spaniards*; whereby the Use of the advantageous Bay of *Gibraltar* is lost to *England*, and our Ships ever since forced to anchor, both inconveniently and dangerously, under the Walls of the Town. And what naturally raises the strongest Suspicions in us, of this unwarrantable Proceeding, is, that a *British* Admiral soon after was at *Cadiz*, with a powerful Squadron of Ships of the Line, at the time the *Spaniards* thus unjustly broke their Treaty; and that Admiral quietly and undisturbed left them in Possession of that Ground, and conveyed their Troops to take Possession of the Dominions of *Tuscany*.

7. Because the Papers upon our Table, delivered to the House from the Commissioners of the Customs, do plainly prove, that Sir *Robert Walpole*, by publickly conniving for many Years at the Trade carried on with this Nation from the Port of *Dunkirk*, has given up the
ninth

ninth Article of the Treaty of *Utrecht* : Which we cannot but look upon as a high Misdemeanour ; and the greater Crime in him, as no Man whatsoever declared himself with more passionate Zeal, than he did, against the Authors of the Treaty of *Utrecht*, for having favoured *France* in most of the Articles of that Treaty : In consequence of which Behaviour, it became peculiarly his Duty to preserve inviolably those Articles in it, which were incontestably stipulated for the Interest of this Crown and Nation.

<i>Bridgewater</i>	<i>Mansel</i>	<i>Carlisle</i>
<i>Westmoreland</i>	<i>Cobham</i>	<i>Bathurst</i>
<i>Macclesfield</i>	<i>Clinton</i>	<i>Exeter</i>
<i>Litchfield</i>	<i>Denbigh</i>	<i>Haverham</i>
<i>Halifax</i>	<i>Falmouth</i>	<i>Greenwich</i>
<i>R. Litchfield & Coventry</i>	<i>R. Lincoln</i>	<i>Abingdon</i>
<i>Talbot</i>	<i>Berkshire</i>	<i>St. John of Bletsoe</i>
<i>Buccleugh</i>	<i>Aylesford</i>	<i>Ward</i>
<i>Bruce</i>	<i>Beaufort</i>	<i>Chesterfield</i>

Then

Then it was moved to resolve, That any Attempt to inflict any kind of Punishment, on any Person, without allowing him an Opportunity to make his Defence, or without Proof of any Crime or Misdemeanour committed by him, is contrary to natural Justice, the fundamental Laws of this Realm, and the ancient established Usage of Parliament, and is a high Infringement of the Liberties of the Subject.

And a Question being stated thereupon,

After Debate,

The previous Question was put, Whether that Question shall be now put?

It was resolved in the Affirmative:

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Not Con.	54

Dissentient

Because we think this Question ought not to have been put at this Time. For tho' the

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Pro

Proposition contained in it is undoubtedly true in itself, yet we apprehend it to be nowise applicable to the Point which had been so long debated the same Day : For we conceive the publick Utility may render it necessary, that a Person should be removed from an Office, and yet that Removal cannot be deemed a Punishment ; for instance, in the Case of Incapacity. Surely then, wilful Neglects, Breach of Duty, and evident Malversation in an Office, may justly require this great Council of State to present an humble Address to his Majesty for the Removal of any Person guilty of such Crimes, in order to prevent publick Detriment. And we cannot apprehend, that the Motion which occasioned the former Debate, was by any means void of Proofs ; since the Treaties and Papers referred to, were as Records in the Possession of the House ; and the Notoriety of many Facts alledged were in our Opinion equal to a Cloud of Witnesses. For those Reasons, although we agree to the Matter contained in the Question, and, acting in our judicial Capacity, would never err from the Rules laid down in it ; yet we cannot but wish the Question had been laid aside, lest a wicked Minister hereafter should think himself secure in his Office, if he cannot be brought personally to answer at the Bar of this House, and

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Wit-

Witnesses *viva voce* cannot be produced against him,

<i>Bridgwater</i>	<i>Cobham</i>	<i>Exeter</i>
<i>Westmoreland</i>	<i>Clinton</i>	<i>Haversham</i>
<i>Macclesfield</i>	<i>Denbigh</i>	<i>Greenwich</i>
<i>Litchfield</i>	<i>Falmouth</i>	<i>Abingdon</i>
<i>Halifax</i>	<i>R. Lincoln</i>	<i>St. John of Bletsoe</i>
<i>R. Litchfield & Coventry</i>	<i>Berkshire</i>	<i>Bruce</i>
<i>Talbot</i>	<i>Aylesford</i>	<i>Sandwich</i>
<i>Buckleugh</i>	<i>Ward</i>	<i>Chesterfield</i>
<i>Beaufort</i>	<i>Carlisle</i>	
<i>Mansel</i>	<i>Bathurst</i>	

(11)

Wanted for the purpose of the
General Inquiry

Belmont	Belmont
W. Belmont	W. Belmont
John Belmont	John Belmont
James Belmont	James Belmont
William Belmont	William Belmont
Charles Belmont	Charles Belmont
5 0059	5 0059
Thomas Belmont	Thomas Belmont
Robert Belmont	Robert Belmont
Richard Belmont	Richard Belmont
Henry Belmont	Henry Belmont
George Belmont	George Belmont
Edward Belmont	Edward Belmont

